

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

SHAW'S/STAR MARKET, A DIVISION OF
ALBERTSON'S D/B/A OSCO PHARMACY
Employer

and

Case 01-RC-144611

INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, LOCAL UNION NO. 340
Petitioner

ORDER

The Employer's Request for Special Permission to Appeal the Regional Director's Order Reopening Representation Hearing is granted, and the appeal is denied on the merits.¹

KENT Y. HIROZAWA, MEMBER

HARRY I. JOHNSON, III, MEMBER

LAUREN McFERRAN, MEMBER

Dated, Washington D.C., February 25, 2015

¹The Regional Director did not abuse his discretion here. The Regional Director is responsible for ensuring that the record is full and complete. Inherent in that responsibility is the authority to supplement an incomplete record by reopening a representation hearing. See Board's Rules and Regulations, Sec. 102.67(a) ("The Regional Director may proceed, either forthwith upon the record or after oral argument, the submission of briefs, *or further hearing, as he may deem proper*, to determine the unit appropriate for the purpose of collective bargaining, to determine whether a question concerning representation exists, and to direct an election, dismiss the petition, or make other disposition of the matter.") (emphasis added). Moreover, regional directors have exercised this authority in the past. See, e.g., *Musical Theater Association*, 221 NLRB 872, 872 fn.1 (1975).